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ENVIRONMENT AND SUSTAINABLE DEVELOPMENT: CONVENTION ON BIOLOGICAL DIVERSITY

Report of the Second Committee (Part VI)*

Rapporteur: Mr. Rae Kwon CHUNG (Republic of Korea)

I. INTRODUCTION

1. The Second Committee held a substantive debate on item 98 (see A/52/629, para. 2). Action was taken on sub-item (e) at the 42nd and 51st meetings, on 17 November and 9 December 1997. An account of the Committee's consideration of the sub-item is contained in the relevant summary records (A/C.2/52/SR.42 and 51).

II. CONSIDERATION OF DRAFT RESOLUTIONS A/C.2/52/L.25 AND A/C.2/52/L.56

2. At the 42nd meeting, on 17 November, the representative of the United Republic of Tanzania, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Convention on Biological Diversity" (A/C.2/52/L.25), which read:

"The General Assembly,

"Recalling its resolution 51/182 of 16 December 1996 on the Convention on Biological Diversity and other relevant resolutions relating to the Convention,

* The report of the Committee on this agenda item will be issued in several parts, under the symbol A/52/629 and addenda.

"Also recalling the provisions of the Convention on Biological Diversity,[1]

"Further recalling Agenda 21,[2] particularly its chapter 15 on the conservation of biological diversity and related chapters,

"Also recalling the recommendations made at the third session of the Commission on Sustainable Development on the review of chapter 15 of Agenda 21 on the conservation of biological diversity,[3]

"Deeply concerned by the continued loss of the world's biological diversity and, on the basis of the provisions of the Convention, reaffirming the commitment to the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of benefits arising out of the utilization of genetic resources,

"Emphasizing that the Convention on Biological Diversity is an important international legal instrument for achieving sustainable development, taking into account its three objectives, and for promoting the ecosystem approach embodied in the Convention and the decisions of the Conference of the Parties to the Convention,

"Encouraged by the work carried out to date under the Convention,

"Noting with satisfaction that most States and one regional economic integration organization have ratified or acceded to the Convention,

"Taking note with appreciation of the generous offer of the Government of Slovakia to host the fourth session of the Conference of the Parties to the Convention at Bratislava from 4 to 15 May 1998,

"Recalling its invitation to the Executive Secretary of the Convention on Biological Diversity to report to the Assembly on the results of future sessions of the Conference of the Parties to the Convention,

"1. Welcomes the results of the third session of the Conference of the Parties to the Convention on Biological Diversity, held at Buenos Aires

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[1] See United Nations Environment Programme, Convention on Biological Diversity (Environmental Law and Institution Programme Activity Centre), June 1992.

[2] Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (United Nations publication, Sales No. E.93.L.8 and corrigenda), vol. I, Resolutions adopted by the Conference, resolution 1, annex II.

[3] See Official Records of the Economic and Social Council, 1995, Supplement No. 12 (E/1995/32), chap. I, para. 230 (i).

from 4 to 15 November 1996, as reflected in the report of the meeting,[4] submitted in accordance with resolution 51/182, and in that context reaffirms the need to take concrete action to fulfil the three objectives of the Convention;

"2. Takes note of the decision of the Conference of the Parties on the conservation and sustainable use of agricultural biodiversity and the programme of work contained therein,[5] and its development of a focused work programme for forest biological diversity;[6]

"3. Also takes note of the results of the third meeting of the Convention's Subsidiary Body on Scientific, Technical and Technological Advice, held at the headquarters of the secretariat of the Convention at Montreal from 1 to 5 September 1997;

"4. Further takes note of the work carried out at the third meeting of the Open-ended Ad Hoc Working Group on Biosafety, held at the headquarters of the secretariat of the Convention at Montreal from 13 to 17 October 1997, and reaffirms the importance of those negotiations for the development of an international legal framework on biosafety aimed at safeguarding human health and the environment;

"5. Encourages those States that have not yet ratified the Convention on Biological Diversity to do so as soon as possible;

"6. Recognizes that States Parties to the Convention have agreed to provide additional financial resources for the implementation of the Convention in accordance with article 20 of the Convention, and urges bilateral and multilateral donors to cooperate with the secretariat of the Convention in implementing decision III/6 of the Conference of the Parties;

"7. Renews its appreciation for the work being carried out under the Convention to enhance cooperation with the Commission on Sustainable Development and biodiversity-related conventions;

"8. Notes that the first national reports of the States Parties to the Convention, as required by article 26 of the Convention, are due to be submitted to the secretariat of the Convention no later than 1 January 1998,[7] calls upon Member States that are Parties to the Convention to meet that requirement as soon as possible, and in that context invites the international community to assist developing countries in fulfilling that commitment;

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[4] A/52/441.

[5] Ibid., annex II, decision III/11.

[6] Ibid., decision III/12.

[7] Ibid., decision III/9, para. 11.

"9. Also notes the clarification of the administrative arrangements regarding the respective roles of the United Nations Environment Programme and the secretariat of the Convention in respect of personnel and financial matters, as detailed in the administrative arrangements between the United Nations Environment Programme and the secretariat of the Convention on Biological Diversity signed on 30 June 1997;

"10. Calls upon States Parties to the Convention to urgently settle their arrears and to pay their contributions in full and in a timely manner, in accordance with the decision of the Conference of the Parties regarding the contributions required for the Trust Fund of the Convention,[a] so as to ensure continuity in the cash flow required to finance the ongoing work of the Conference of the Parties to the Convention, its subsidiary bodies and its secretariat;

"11. Invites the Executive Secretary of the Convention on Biological Diversity to report to the General Assembly at its fifty-third session, and to report to the Assembly on the results of future meetings of the Conference of the Parties to the Convention;

"12. Decides to include in the provisional agenda of its fifty-third session a sub-item entitled 'Convention on Biological Diversity'."

3. At the 51st meeting, on 9 December, the Vice-Chairman of the Committee, Mr. Hans-Peter Glanzer (Austria), introduced a draft resolution entitled "Convention on Biological Diversity" (A/C.2/52/L.56), submitted on the basis of informal consultations held on draft resolution A/C.2/52/L.25.

4. At the same meeting, the Committee adopted the draft resolution (see para. 6).

5. In the light of the adoption of draft resolution A/C.2/52/L.56, draft resolution A/C.2/52/L.25 was withdrawn by its sponsors.

III. RECOMMENDATION OF THE SECOND COMMITTEE

6. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

Convention on Biological Diversity

The General Assembly,

Recalling its resolution 51/182 of 16 December 1996 on the Convention on Biological Diversity and other relevant resolutions relating to the Convention,

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[a] Ibid., decision III/24.

Recalling also the provisions of the Convention on Biological Diversity,[9]

Recalling further Agenda 21,[10] particularly its chapter 15 on the conservation of biological diversity and related chapters,

Recalling further the recommendations made at the third session of the Commission on Sustainable Development on the review of chapter 15 of Agenda 21 on the conservation of biological diversity,[11]

Deeply concerned by the continued loss of the world's biological diversity and, on the basis of the provisions of the Convention, reaffirming the commitment to the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of benefits arising out of the utilization of genetic resources,

Emphasizing that the Convention is an important instrument for achieving sustainable development, taking into account its three objectives, and for promoting the ecosystem approach embodied in the Convention and the decisions of the Conference of the Parties to the Convention,

Encouraged by the work carried out to date under the Convention,

Noting with satisfaction that most States and one regional economic integration organization have ratified or acceded to the Convention,

Taking note with appreciation of the generous offer of the Government of Slovakia to host the fourth meeting of the Conference of the Parties to the Convention at Bratislava from 4 to 15 May 1998,

Recalling its invitation to the Executive Secretary of the Convention on Biological Diversity to report to the General Assembly on the results of future meetings of the Conference of the Parties to the Convention,

1. Welcomes the results of the third meeting of the Conference of the Parties to the Convention on Biological Diversity, held at Buenos Aires from 4 to 15 November 1996, as reflected in the report of the meeting,[12] submitted in accordance with General Assembly resolution 51/182, and in that context

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[9] See United Nations Environment Programme, Convention on Biological Diversity (Environmental Law and Institution Programme Activity Centre), June 1992.

[10] Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I, Resolutions adopted by the Conference (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II.

[11] See Official Records of the Economic and Social Council, 1995, Supplement No. 12 (E/1995/32), chap. I, para. 230 (i).

[12] A/52/441, annex.

reaffirms the need to take concrete action to fulfil the three objectives of the Convention;

2. Takes note of the decision of the Conference of the Parties on the conservation and sustainable use of agricultural biological diversity and the programme of work contained therein,[13] and the development of a focused work programme for forest biological diversity;[14]

3. Also takes note of the ongoing work and the international cooperation to date towards fulfilling the objectives of the Convention, the decision of the Conference of the Parties, and, inter alia, the initiative taken on holding workshops, including the workshop on traditional knowledge and biological diversity,[15] and the important work being carried out by the subsidiary bodies of the Convention;

4. Further takes note of the work carried out at the third meeting of the Open-ended Ad Hoc Working Group on Biosafety, held at the seat of the secretariat of the Convention at Montreal, Canada, from 13 to 17 October 1997, and reaffirms the importance of those negotiations for the development of a protocol on biosafety;

5. Encourages those States that have not yet ratified the Convention to do so as soon as possible;

6. Recognizes that States Parties to the Convention have agreed to provide additional financial resources for the implementation of the Convention in accordance with article 20 of the Convention, and urges all funding institutions, including bilateral and multilateral donors as well as regional funding institutions and non-governmental organizations, to cooperate with the secretariat of the Convention in implementing decision III/6 of the Conference of the Parties;

7. Renews its appreciation for the important work being carried out under the Convention towards enhancing cooperation with the Commission on Sustainable Development and biodiversity-related conventions;

8. Recognizes the importance of the implementation of the Convention at all levels, including through the preparation and the implementation of national strategies, plans and programmes;

9. Notes that the first national reports by States Parties to the Convention, as required under article 26 of the Convention, are due to be submitted to the secretariat of the Convention no later than 1 January 1998[16] in

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[13] Ibid., annex II, decision III/11.

[14] Ibid., decision III/12.

[15] Ibid., decision III/14.

[16] Ibid., decision III/9.

accordance with decision II/17 of the Conference of the Parties,[17] calls upon Member States that are Parties to the Convention to meet that requirement as soon as possible, and in that context invites the international community to assist developing countries in fulfilling that commitment;

10. Also notes the clarification of the administrative arrangements regarding the respective roles of the United Nations Environment Programme and the secretariat of the Convention in respect of personnel and financial matters, as detailed in the Administrative Arrangements between the United Nations Environment Programme and the secretariat of the Convention on Biological Diversity signed on 30 June 1997;

11. Calls upon States Parties to the Convention to urgently settle any arrears and to pay their contributions in full and in a timely manner, in accordance with the decision of the Conference of the Parties regarding the contributions required for the Trust Fund for the Convention on Biological Diversity,[18] so as to ensure continuity in the cash flow required to finance the ongoing work of the Conference of the Parties, the subsidiary bodies and the Convention secretariat;

12. Invites the Executive Secretary of the Convention on Biological Diversity to report to the General Assembly on the results of future meetings of the Conference of the Parties to the Convention;

13. Decides to include in the provisional agenda of its fifty-third session the sub-item entitled "Convention on Biological Diversity".

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[17] A/51/312, annex, annex II, decision II/17.

[18] A/52/441, annex, annex II, decision III/24.